



# ***Tyngsborough Board of Health***

**Town Hall**

**25 Bryants Lane**

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**Frederick Wendt, Chairman**

**Bernadette Harper  
Christopher Mellen**

**Sheila Perrault, Vice-Chairman  
Patricia Quinn**

## **Board of Health Meeting Minutes March 14, 2011**

**Members Present:** Fred Wendt, Sheila Perrault, Christopher Mellen, Patricia Quinn, Bernadette Harper

**6:15 P.M. Meeting Opened**  
**SP:** Motion to open meeting  
**CM:** 2<sup>nd</sup> the motion  
**Vote:** Yes – 5 Opposed – 0

**6:16 P.M. Meeting Minutes**  
**CM:** Motion to accept minutes from February 14, 2011.  
**PQ:** 2<sup>nd</sup> the motion.  
**Vote:** Yes -5 Opposed – 0

**6:17 P.M. 22 Robert Road**  
Robert McNamara, owner and Jeff Hannaford of Norse Design Services, Inc. were present to request a variance for a gravity fed leach field and a reduction separation from bottom of leach field to high groundwater from 5 feet to 4 feet. Matt Waterman from Landtech Consultants was present on behalf of the Board.

**CM:** Motion to accept variance contingent upon the condition set forth by Matt Waterman's letter dated March 14, 2011.

**PQ:** 2<sup>nd</sup> the motion.

**Vote:** Yes – 4 Opposed – 0 SP – abstain

### **6:27 Various on-going septic and well issues**

Karen Steeves (KS), administrative assistant has various on-going septic issues that she wants the Board to address.

58 Scribner Rd. – property required deed restrictions for alternative system and pump system. The system is good for 4 bedrooms but owner did a deed restriction for 5 bedrooms. KS sent letters to owner but the owner did not respond. The Board recommends to note in the folder that owner has been contacted and the certified letters sent to the owner be placed in the folder for potential owners to review if property ever go up for sale.

167 Scribner Rd.- similar issue. Owner filled out paperwork for registry of deeds but filled out incorrectly. Registry of deed rejected her paperwork. KS sent letters to owners. Again, folder should be notes that owner has been notified and place registered receipt in folder.

Bridgecrest Condo on Centercrest Drive –Condo association owed fees to BOH and BOH has requested for deed restrictions on properties. Letters were sent to condo association but BOH did not receive respond from Condo association. FW asked how can the Board achieve compliance. Matt Waterman recommends using the housing code for condo association to comply. FW asked health agent to issue a Board of Health order through the housing code.

43 Tyng Road – BOH received email from neighbor stating that he has never seen septic system pumped and requested for copy of Title V. KS checked registry of deed and property was bought for \$30K. KS sent letter to remind owner that per the DEP regulation, owner has 6 months after buying property to do a Title V and has 2 years to make repair if Title V failed. BOH recommends to contact the neighbor to see if there is specific public health concern that he may have.

22 Althea Ave. – property failed Title V and has high gross alpha for well water. Certified letter was sent but returned. Another certified letter was sent on March 11, 2011 and awaiting receipt. FW asked what can be done. Health agent said a violation notice can be issued through the housing code to effect compliance.

Well Issues – No way to track documents after well permit is issued. KS has sent letters owners and companies to request water and well completion reports. Some submitted info per request and some ignored the request. The well permit application has been revised with the help of Matt Waterman with check lists to inform the applicants as to what the Board of Health will need for a new well. FW questioned Irrigation Wells permit with just the affidavit. He suggested wordings to the application that well can be inspected anytime to determine that well is used for irrigation purposes only.

**CM:** Motion to accept revised application for well permit and required water tests for new wells.

**PQ:** 2<sup>nd</sup> the motion

**Vote:** Yes – 5 No - 0

**7:25 Other Business**

State has issued memo that there will be a reduction in flu vaccine for next year.

FW sent bulky items sticker price to everyone for review. New list has one bag of free sticker for residents. Asked everyone to review and submit comments.

**7:30 Stonehedge Inn**

Health Agent had spoken to the director of State DPH in Community Sanitation regarding the grandfathering clause for structural issues. There is no “grandfather clause” in the State Sanitary Code unless stated. Health Agent will send a new order to correct to Stonehedge Inn.

**7:35 Meeting Adjourned**

**PQ:** Motioned to adjourn.

**CM:** 2<sup>nd</sup> the motion.

**Voting** Yes – 5 Opposed – 0

Respectfully for the Board of Health  
Kerri C. Oun  
Health Agent, Town of Tyngsborough